

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

DONALD VANCE and NATHAN ERTEL,)	No. 06 C 6964
)	
Plaintiffs,)	Chicago, Illinois
)	December 4, 2008
)	9:00 o'clock a.m.
-vs-)	
)	
DONALD RUMSFELD, et al.,)	
)	
Defendants.)	

TRANSCRIPT OF PROCEEDINGS - MOTION
BEFORE THE HONORABLE WAYNE R. ANDERSEN

APPEARANCES:

For the Plaintiffs: LOEVY & LOEVY
312 North May Street
Suite 100
Chicago, Illinois 60607
BY: MR. MICHAEL I. KANOVITZ
MS. GAYLE M. HORN

Court Reporter: ROSEMARY SCARPELLI
219 South Dearborn Street
Room 1412
Chicago, Illinois 60604
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1 THE CLERK: Case 6 C 6964, Vance versus Rumsfeld.

2 MR. KANOVITZ: Good morning, Judge, Mike Kanowitz
3 for the plaintiff.

4 MS. HORN: Gayle Horn, H-O-R-N, also for the
5 plaintiffs.

6 THE COURT: And there is no defendant here, but you
7 are -- you are not occupying the full lectern. How courteous
8 of you.

9 Okay. What -- why are you here?

10 MR. KANOVITZ: We filed a motion for leave to file
11 our --

12 THE COURT: Oh, okay. Right, you did. I will
13 grant it.

14 MR. KANOVITZ: Thanks.

15 THE COURT: It is really long, but I assume you are
16 really smart and it is succinct and it had to be this long.

17 MR. KANOVITZ: Obviously.

18 THE COURT: Yes, right?

19 MR. KANOVITZ: Basically, yes.

20 THE COURT: Basically yes?

21 MR. KANOVITZ: I don't want to say I am really
22 smart. But I think it is a reasonable length for the job we
23 had to do.

24 THE COURT: What is your name?

25 MR. KANOVITZ: Mike.

1 THE COURT: Oh, yes. Well, I know all the other
2 lawyers here and they are all smart.

3 MR. KANOVITZ: All right.

4 THE COURT: So they wanted -- I know they want to
5 associate with smart people.

6 When is the -- is there going to be a reply brief
7 coming in?

8 MR. KANOVITZ: Their reply is due end of first week
9 in January.

10 THE COURT: We will grant them leave to file an
11 oversized brief too so they don't have to come in and do
12 that. When they file their brief, if somebody from your
13 office or their office could let us know, then we will take
14 it up and try to resolve it reasonably soon.

15 MR. KANOVITZ: Very well.

16 THE COURT: Thanks a lot.

17 MR. KANOVITZ: Thank you, Judge.

18 THE COURT: Thank you. Bye.

19 (Which were all the proceedings heard.)

20 CERTIFICATE

21 I certify that the foregoing is a correct transcript
22 from the record of proceedings in the above-entitled matter.

23

24 s/Rosemary ScarPELLi/

Date: December 9, 2008

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